

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Cause No. 3:12-CR-30239-GPM
)	
JEVON M. JENKINS,)	
)	
Defendant.)	
<hr style="width: 45%; margin-left: 0;"/>)	

**MOTION TO DISAVOW PLEA AGREEMENT, TO CONTINUE PLEA AS
AN OPEN PLEA WITHOUT THE BENEFIT OF AN AGREEMENT WITH
THE UNITED STATES, AND TO CONTINUE SENTENCING HEARING**

COMES NOW Defendant Jevon Jenkins, by and through counsel Robert Herman of Schwartz, Herman & Davidson, and hereby moves to disavow the plea agreement, to continue plea as an open plea without the benefit of an agreement with the United States, and to continue the sentencing hearing currently scheduled for September 30, 2013. In support thereof, Defendant states as follows:

1. On July 8, 2013, Defendant entered a plea of guilty in this matter before Magistrate Judge Donald D. Wilkerson.
2. Defendant has directed counsel to petition this Court to disavow any agreement he has previously made with the United States regarding his sentence.
3. Defendant wishes to continue with a plea on the basis of an open plea agreement.

4. Defendant requests a short continuance of approximately two weeks to collect additional records requesting further information on Defendant's mitigating factors.

5. Defendant's sentencing hearing is currently scheduled for Monday, September 30, 2013 at 10:00 a.m. before Judge Murphy.

6. Defendant requests a continuance of at least two weeks of his sentencing hearing.

7. That the purposes of justice will be served by the granting of this motion.

8. That no prejudice will be attached to any party by the granting of this motion.

WHEREFORE Defendant Jevon Jenkins prays this Court grant his Motion to Disavow Plea Agreement, to Continue Plea as an Open Plea without the Benefit of an Agreement with the United States, and to Continue Sentencing Hearing from September 30, 2013.

Respectfully submitted,

SCHWARTZ, HERMAN & DAVIDSON

By: /s/ Robert Herman
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on September 25, 2013, a true and correct copy of the foregoing document was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon the following counsel of record:

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By: /s/ Robert Herman